

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION**

**DANTZLER, INC.,**

Plaintiff,

v.

Civil Action No. 7:13-CV-56 (HL)

**HUBERT MOORE LUMBER COMPANY,  
INC., WILBUR STANLEY MOORE,  
individually and as guarantor, NORMA  
MOORE GASKINS, individually and as  
guarantor, JOAN MOORE DRAWDY,  
individually and as guarantor, and  
DUPONT PINE PRODUCTS, LLC,**

Defendants.

**ORDER**

This case is before the Court on Counter-Defendant's Motion to Dismiss Counter-Plaintiffs HLMC's and the Shareholders' Counterclaims (Doc. 28) and the Counter-Defendant's Motion to Dismiss Counter-Plaintiff Dupont Pine's Counterclaims (Doc. 29). Both motions have been rendered moot by Counter-Plaintiffs' amended counterclaims. Pintando v. Miami-Dade Housing Agency, 501 F.3d 1241, 1243 (11th Cir. 2007) ("As a general matter, an amended pleading supersedes the former pleading; the original pleading is abandoned by the amendment, and is no longer a part of the pleader's averments against his adversary.") (quotation omitted). The Court will consider the pending motions to dismiss the amended counterclaims in the near future.

**SO ORDERED**, this the 21<sup>st</sup> day of August, 2013.

**s/Hugh Lawson**  
**HUGH LAWSON, SENIOR JUDGE**

mbh